

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Cary J. Hoffer, et al. Examiner: Melur Ramakrishnaiah
Serial No.: 10/733,033 Group Art Unit: 2614
Filed: December 11, 2003 Docket No.: 200312174-1
Title: A Video Conference System with a Camera Disposed in a Computer

REPLY APPEAL BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed 12/24/2008, Appellants file this Reply Brief in accordance with 37 C.F.R. § 41.41.

AUTHORIZATION TO DEBIT ACCOUNT

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's deposit account no. 08-2025.

In this reply brief, Appellants address some of the arguments provided by the Examiner in the Examiner Answer.

Response to Examiner's Argument: 35 USC 112

The Examiner argues that claim 15 fails to comply with the enablement requirement and argues as follows:

Once it is mechanically detached, power cannot be supplied by the power source in the computer. According to applicants specification, power is supplied to the camera from rechargeable batteries (paragraph: 0039) when it is mechanically detached from the computer and it is nothing to do with automatically transitioning to a power on state as claimed by the applicant.

Here, the Examiner is arguing that once the camera is detached from the computer, then power cannot be supplied to the camera by the computer. This argument is incorrect because claim 15 never recites that the computer supplies power to the camera once the camera is detached from the computer. Instead, the claim recites that camera is electrically coupled to the computer. The embodiment of figure 7 explains how the camera can be mechanically detached from the computer yet still electrically coupled to the computer:

As shown in FIG. 7, the camera 160 is mechanically unattached 10 the portable electronic device 100. At the same time, however, the camera can be in electrical communication with the portable electronic device. A variety of wireless technologies can be used to establish signal communication between the camera and portable electronic device. For example, radio frequency (RF) can be used. {See p. 8, lines 1-5 of paragraph [0038]}.

Furthermore, the specification explains that while the camera is mechanically detached from the computer, batteries are used to power the camera:

Further, the camera 160 can include a rechargeable power supply to power the camera while it is physically removed or unattached from the portable electronic device 100. {See p. 8, lines 1-3 of paragraph [0039]}.

The Examiner also argues as follows:

As stated in the final office action once camera is mechanically detached from the camera, it cannot automatically transitions to a power on state as the camera is ejected and mechanically separated.

This argument is incorrect because the camera does not transition to the power on state after the camera is mechanically detached from the computer. Instead, the camera transitions “to a power-on state as the camera is ejected” from the computer (underline added). As explained in the specification, as the camera is being ejected, a switch causes the camera to turn on.

Appellants respectfully ask the BPAI to reverse this rejection.

Response to Examiner's Argument: 35 USC § 103(a)

Regarding claim 1, the Examiner states the following:

Thus, using the teachings of Yamane, it would be obvious to one of ordinary skill in the art at the time invention was made to modify Ohnishi camera system to be powered on when in use (ejected position) and to be powered off when camera not in use (storage position) in order to conserve power used for powering devices such as camera and prevent computer components subject to heat produced by camera components by leaving the camera powered on when not in use or stored in the computer body.

Appellants respectfully disagree. A user of the Ohnishi invention could eject the camera for many reasons that do not require it to also automatically power-on. For example, the user might want to have the camera serviced, inspect or clean the camera, change a component, change batteries, etc. The combination of Yamane with Ohnishi teaches that after the camera taught in Ohnishi were ejected, the camera would power on when the user popped the flash.

Regarding claim 2, the combination of Yamane with Ohnishi teaches that once the camera taught in Ohnishi were ejected, the camera would power off when the user pushed the flash back into the camera. At this point, the camera would be ready to be positioned back for storage.

Regarding claim 15, Cipolla teaches a video conference system that moves between a stored position in a computer (Fig. 10) and a usable position (Fig. 9). Murata teaches a camera that has a built-in video light which turns off when the light is stowed in the camera and turns on when the light is in use. Murata further teaches that video light, not the camera, transitions from a power-off state to a power-on state. Thus, the combination Cipolla and Murata teaches that after the camera taught in Cipolla were ejected, a built in video light could be turned on once the camera was in use.

Additional arguments in the Examiner Answer are fully addressed in the original Appeal Brief and are not repeated here.

In view of the above, Appellants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Respectfully submitted,

/Philip S. Lyren #40,709/

Philip S. Lyren
Reg. No. 40,709
Ph: 832-236-5529